

# Waste Tire Hauler Program

*Zero Waste—You Make It Happen!*

## NEWS-LINE



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The *Waste Tire Hauler Program NEWS-LINE* is a free informational newsletter published by the California Integrated Waste Management Board (CIWMB). This quarterly newsletter provides information on the CIWMB's waste tire regulatory programs, including upcoming events.

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### EDT Makes Business Sense

The California Tire Recycling Act (AB1843, Brown, Chapter 974, Statutes of 1989) requires accountability from haulers, generators, and end-use facilities for all pickups and deliveries of waste tires. For a tire business, that translates into more time spent filling out forms, namely the manifest and trip logs—and as we all know, time is money. Filling out these necessary forms takes time away from your work that could increase your bottom line.

As a waste tire hauler, generator, and/or end-use facility, you can now choose a time-saving alternative by submitting the required information electronically through the Electronic Data Transfer (EDT) program instead of completing and mailing the paper manifest and trip log forms to the California Integrated Waste Management Board (CIWMB). For business purposes, many waste tire haulers already keep track of information required on the manifest and trip logs, such as pickups, deliveries, and load amounts. Drivers often record the information on a business form or an invoice that is later entered into a computerized accounting system. Haulers using the EDT program may use existing business forms or invoices that contain the information needed on the manifest and trip logs and simply go one step further with the EDT program by electronically submitting a custom EDT manifest form.

The difference between information on existing business forms or invoices and the custom EDT manifest form that can be sent electronically usually amounts to five or six additional fields of information needed for tracking waste tire transactions by the CIWMB. For example, two of these fields contain assigned

**Business Sense** (continued on page 2)

### Fresno Hauler Pleads Guilty to Illegal Tire Disposal

Laws are meaningless until they are enforced—and the CIWMB is committed to enforcing violations of the California Tire Recycling Act. The act prohibits anyone from transporting 10 or more waste or used tires without a waste tire hauler registration to prevent illegal tire dumping.

A surveillance report provided by a City of Fresno code enforcement officer revealed that an individual was seen transporting and illegally disposing of waste tires onto another tire dealer's property. The enforcement officer's investigation revealed that the individual had sold approximately 2,000 waste tires per year, but manifests indicated only that he had disposed of 350 tires since March 2002. A review of CIWMB's records failed to show the business owner as a registered waste tire hauler.

The City of Fresno brought a criminal complaint before the Superior Court in Fresno. The defendant pleaded guilty to a criminal misdemeanor and was

**Guilty** (continued on page 2)

**Business Sense** (continued from page 1)

numbers to identify the businesses responsible for the transaction. Another field includes a company's unique invoice and trip number to show the daily trips made and tires generated and/or collected. Whereas pickups and deliveries are generally written on an invoice, the form must also allow for a field to show whether tires were imported from or exported to a specific location outside of California. If there is a hauler exemption, it must also be noted on the form. And, finally, a confidentiality claim must appear on the bottom of the form.

Once the custom EDT manifest form is set up, haulers can easily and efficiently submit the information electronically. By including a few extra information fields to an existing invoice and submitting the information through the EDT, a business can eliminate the time and effort required to complete and mail the paper manifest and trip logs. This method avoids time-consuming corrections for errors and omissions generally found on paper manifest and trip log forms that can result in penalties. Haulers who report waste tire transactions on behalf of generators who value the added customer service will find this service to be a good marketing tool.

The intent of the California Tire Recycling Act is to prevent illegal dumping and stockpiling of waste tires. CIWMB's goal is to help haulers, generators, and end-use facilities achieve this intent with minimal effort. The EDT program will help you comply with the law more quickly. An initial investment of time can result in a significant payoff for your business. Contact CIWMB's Doug Ralston at (916) 341-6148 to receive free technical assistance with your transition from paper to electronic data transfer.

## Board Proposes Modifications for the Retread Industry

The CIWMB is developing regulations to create a separate manifest form in response to what the retread industry considers a burdensome reporting requirement. Since the California Uniform Waste and Used Tire Manifest System was implemented in July 2003, all haulers, generators, and end-use facilities have been required to submit a manifest form for every pickup and delivery of waste tires. Retreaders are also required to report every transaction, despite the fact that tires are not transported for disposal or recycling. Prior to July 2003,

**Guilty** (continued from page 1)

sentenced to three years probation and nine days of community service picking up trash. He was also ordered to pay a \$1,000 fine and \$1,221 restitution to the City of Fresno.

In addition to pursuing criminal charges, the CIWMB may conduct enforcement actions on waste tire haulers in California by also serving defendants with an Administrative Complaint for Civil Penalties. By law (Public Resources Code section 42951), the defendant in the Fresno case could be subject to an administrative civil penalty of up to \$5,000 for each time he hauled waste tires without a valid waste tire hauler registration. "The CIWMB takes these matters very seriously," said Keith Cambridge, program manager for the Waste Tire Manifest Program. Haulers who continue to disregard the laws will be pursued. Cambridge emphasized, "The message we want to convey is that waste tire haulers must register or face penalties."

retreaders attached invoices for retreaded tires to the manifest form without completing the form for each transaction.

Individuals involved in retreading justify their request for a separate reporting method by stating that the tire casings are only temporarily

**Retread** (continued on page 3)

## Account for Your Waste Tire Loads or Face Fines

What if you looked outside your kitchen window every day and saw a growing mound of used tires in the vacant lot across the street? What if the past week's rain collected in those tires and held mosquito larvae in place until a warm spring day caused them to swarm throughout your yard? Unfortunately, mosquito-borne diseases are one of the major health hazards of illegal tire dumping. Illegal dumping of tires is dangerous to public health, expensive to clean up, and ugly to look at.

The CIWMB has spent \$28.5 million since 1995 to remove waste tire piles resulting from illegal dumping. This past year \$800,000 was allocated to help cities and counties take action to address the problem. The Waste Tire Manifest System was established to provide accountability and ensure that illegal dumping does not take place. The manifest and trip log forms collected from every hauler, generator, and end-use facility track each waste tire that was picked up, transported, or delivered. The system identifies discrepancies when pickup and delivery load numbers on the manifest and trip log forms are compared. In other words, it is able to show who picked up a specific load of tires from a location but did not properly dispose an equal number of tires for that trip recorded on the trip log.

Recently, it has become apparent that some haulers are picking up waste tires from a generator but only delivering a portion of the load to the landfill without accounting for the remainder of the load on the manifest and trip log forms. Often, individuals hauling tires remove tires with some useful life remaining and resell them for a better profit than they would reap if they simply took the entire load to a landfill. While reuse is encouraged, haulers still need to account for those tires on the manifest and trip log. Otherwise, the trip log shows that a reduced load is delivered to the landfill, whereas the manifest shows that a larger load was picked up at the generator's site. The manifest system identifies that the specific hauler's pickup load does not match the load that was delivered. There is no way to know whether the difference in the load amounts was the result of a hauler separating out the good tires for resale or simply illegally dumping tires to avoid the disposal fee at the landfill.

CIWMB relies on the information on the manifest and trip log forms to ensure that all waste tires generated and transported

**Fines** (continued on column 2)

**Fines** (continued from column 1)

within California are delivered to permitted end-use facilities. The discovery of a discrepancy between the number of tires picked up and the number delivered triggers an investigation. Any violations of the manifesting requirements may carry a penalty of \$10,000 to \$25,000 per violation. It is far better to take the few minutes to fill in and mail the mandated forms than face charges of noncompliance with a law that serves to protect Californians from the hazards of illegal dumping.

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**Retread** (continued from page 2)

removed from the generator's property. In other words, the tires are still owned by customers, unlike used or waste tires that are bought by the hauler, mostly for disposal purposes. Once the retreader retreads the tire casing, the tire is returned to the customer who pays for the service. Because this particular transaction doesn't conform to the usual change in ownership, the CIWMB's documentation requirements may be modified in this case.

Consequently, CIWMB staff is taking action to determine how to best obtain information on tire transactions without placing undue paper processing requirements on retreaders. The issue was brought before the Board on February 18, 2004, to decide the most appropriate solution. As a result, it may be necessary to change existing manifest and trip log forms. The retread industry has the same legal obligations as all waste tire haulers because tire casings are still considered waste or used tires.

**Retread** (continued on page 4)

**Retread** (continued from page 3)

It is the mission of the CIWMB's waste tire program to track the flow of waste tires throughout California to prevent illegal dumping and/or hazardous conditions such as tire fires. The retread industry is unique in the sense that tire casings that would otherwise be disposed of or recycled are retreaded and returned to customers for reuse. Therefore, the Board is willing to consider altering the reporting requirements for this small portion of the overall waste tire stream. Proposed regulations to modify the manifest process for retreaders will likely be presented to the Board in the near future. Until that time, retreaders are required to continue submitting complete and correct manifest forms and trip logs to the CIWMB.

**WTMS Manual Now Available in Spanish**

Haulers, generators, and end-use facilities may order a free guide that explains how the Waste Tire Manifest System (WTMS) works. This easy-to-follow guide explains who is responsible for participating in the program and how to complete the manifest and trip log forms. Now this guide is available in Spanish. If you would like to order your free copy, call the WTMS toll-free hotline at: 1-866-896-0600.

**NEWS-LINE**

To subscribe to *NEWS-LINE*, call CIWMB's toll-free waste tire hotline at 1-866-896-0600 or e-mail Keith Cambridge at [kcambri@ciwmb.ca.gov](mailto:kcambri@ciwmb.ca.gov).

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